

**BOROUGH OF BERNARDSVILLE
RESOLUTION #25-243**

**APPROVING MEDIATION AGREEMENT WITH FAIR SHARE HOUSING CENTER
BEFORE THE AFFORDABLE HOUSING DISPUTE RESOLUTION PROGRAM**

WHEREAS, the Borough of Bernardsville (the “Borough” or “Bernardsville”) having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the “Program”) and a declaratory judgment action pursuant to N.J.S.A. 52:27D-391 et. Seq. (the “Fair Housing Act”) on January 23, 2025; and

WHEREAS, the Court entered an order on April 24, 2025, setting the Borough’s Fourth Round fair share obligations as a Present Need of 0 units and a Prospective Need of 113 units, which no party appealed, and ordering the Borough to file a Housing Element and Fair Share Plan (“HEFSP”) by June 30, 2025; and

WHEREAS, the Borough filed its HEFSP on June 27, 2025; and

WHEREAS, Fair Share Housing Center (“FSHC”) filed a challenge the Borough’s HEFSP pursuant to *N.J.S.A. 52:27D-304.1(f)(2)(b)* on August 28, 2025; and

WHEREAS, the Borough and FSHC have agreed to amicably resolve the issues set forth in the challenge through this mediation agreement and present this agreement for review by the Program and referral to Judge Stephan Hansbury, the Program Member, pursuant to *N.J.S.A. 52:27D-304.1(f)(2)(b)* and Administrative Directive #14-24, which if approved will result in a compliance certification for the Borough for the Fourth Round;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, in the County of Somerset, State of New Jersey as follows:

1. The Mediation Agreement with Fair Share Housing Center , a copy of which is attached hereto and incorporated herein by reference is hereby approved.
2. The Borough Planner and the Borough Attorney are authorized to agree to non-substantive revisions to the agreement, with the approval of the Borough Administrator and the Mayor or Council President.
3. The Mayor and Clerk are hereby authorized to execute the Mediation Agreement on behalf of Bernardsville Borough.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held December 22, 2025.

Anthony Suriano

